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In The United States District Court
Eastern Division of Missouri

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U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

)
Eric Ware - Plaintiff)

)
v.s)

)
St. Louis City Justice Center)

4:20CV01065 AGF

Plaintiff's Complaint for
Injunctive Relief

Now comes the Plaintiff, Eric Ware, pro-se, and respectfully request this honorable Court to grant him injunctive relief and he states as follows:

1. This is an original action and the Plaintiff has not filed the same or similar claims in no other Court.
2. At all times relevant to this action, the Plaintiff resided in the State of Missouri at the St Louis City Justice Center.
3. The Defendant, St. Louis City Justice Center is being sued in it's individual Capicity for damages and injunctive relief.

Jurisdiction and Venue

4. Jurisdiction is conferred under the United States Constitution and article 1,14 of the MISSOURI Constitution.
5. Venue is vested under 42 U.S.C. Section 1983.

Covid 19 / Corona Virus

6. The Plaintiff claims that his life is in immediate danger.
7. On June 28th or about, the Plaintiff fell ill in his cell with chills, headaches, body aches and chest pains. This led Plaintiff to seek immediate Medical attention.

8. Plaintiff was transported to the infirmary unit for medical attention. The medical staff accused Plaintiff of faking his symptoms, but encouraged Plaintiff to take a Covid 19 screening test.

9. Plaintiff was sent back to his cell.

10. On July 1st 2020 or about, Plaintiff had the same symptoms and eventually fell unresponsive, and a code 3 was called and Plaintiff was transferred to the infirmary for medical treatment.

11. After receiving blood and urine test, the Doctor concluded that Plaintiff was possibly suffering from pneumonia and/or lung infections, and placed Plaintiff on antibiotics and ibuprofen.

12. Plaintiff was also placed in quarantine alone.

13. On July 2nd or about, two other pre-trial detainees were placed in the same cell with Plaintiff who were screened for Covid 19.

14. The two pre-trial detainees and Plaintiff complained to staff that it was unsafe to put them in the same cell together because if Plaintiff has pneumonia and the pre-trial detainees have Covid 19, it could exacerbate his condition and he could die. The ideas of all three fell on deaf ears.

15. On July 6, both pre-trial detainees were released and cleared from having the coronavirus.

16. On July 8th Plaintiff found out that his test still had not come back and remained on quarantine. Later on that day two pre-trial detainees were placed in the cell with Plaintiff under screening for Covid 19 and tested positive.

17. Plaintiff continued to suffer from excruciating pain as medical staff and security unintelligently continued with the dangerous procedures and putting positive covid 19 tested individuals in cells with individuals who have not tested positive.

18. Plaintiff was told later on that evening that his Covid 19 test was lost and he had to retest and he did, and was negative.

19. On July 11th Plaintiff was released from his infirmary cell back to general population under isolation in his cell. His cell door has about a two inch gap at the bottom as all cells doors ^{are} circulating air in and out.

20. Plaintiff remained isolated until July 25th with limited movement among other detainees.

Injunctive Relief

21. The Defendant has ^{recklessly} allowed the coronaviruses to spread throughout the jail by similar ways that Plaintiff has gone through.

22. The jail has a lot of young officers who play with the detainees and know them from the streets and allow them to come out of their cells, whether they are under isolation or have the virus. They are having huge cooking parties on the wings, some with no masks and spreading the virus all over the place.

23. Plaintiff almost had a fist fight with a detainee because he politely asked a sneezing detainee to put his mask on and he didn't like it.

24. This jail is completely in disorder! Now the staff are sending people from the Quarantine to be quarantined with the general population. The officers are complaining and several have abandoned their post and many are ill with covid 19.

25. On August 3rd or about, ten officers refused to come in to work. The detainees on the fourth floor captured a wing and rioted for better living conditions. There were about 3-4 officers maintaining the security for all floors which is extremely dangerous.

26. This leaves many officers overworked and rebellious and many say I don't give a \$# - t and let everybody out of their cells or allow them to pop their own cell doors and come out.

27. Officers are equipped with N-95 mask and the detainees are Superficial.

28. Now that the Work House is closing, they are now transporting detainees from there to here at the jail and its going to become a bigger mess.

29. Plaintiff is 48 years old and hopes to make it to become 49 on August 19th. Plaintiff has underlying elements such as hypertension and takes medication for that and that element and considering his age is a risk playing factor if he contracts covid 19.

30. The detainees have even talked about taking over the entire jail if they are left to die, this has become serious at the jail and its covered up.

31. Example, Officer Wilkes, an African American female, allows the gangs to congregate which she is a part of, whether they are on isolation or not. She's one of the major reasons that the virus has spreaded throughout the jail, many of the people she allowed to illegally congregate tested "positive" for covid 19 and if discovery were to take place in this action it would explicate that.

32. Covid 19 has spreaded so bad, that they are now housing covid 19 patients with non-covid 19 general population or people that exhibit covid 19 symptoms. There is no safe place in the jail to be Quarantined

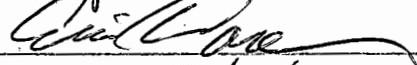
33. Plaintiff incorporates paragraphs 1 through 32 as if set forth in full.

Wherefore, the Plaintiff prays that this honorable Court will grant him an immediate injunction because his life is in imminent danger, whether he be placed on home confinement or other measures similar that removes him from the danger of death from the Defendant recklessly spreading Covid 19 throughout the jail. Plaintiff asserts that he was lucky the first time to be in a cell with two people who tested positive for Covid 19 while Plaintiff suffered pneumonia, and any harm to Defendant will pale in comparison to Plaintiff potentially dying. If this honorable court does not issue an injunction the Plaintiff may die or fall greatly ill, and Plaintiff also request as follows:

- (a) Attorney fees
- (b) damages
- (c) permanent or temporary release from detainment
- (d) appointment of counsel

Plaintiff demands trial by jury on all issues so triable:

Respectfully Submitted



8/6/2020

Affidavit of Eric Ware

I, Eric Ware being first duly sworn upon oath deposes and State under all penalties of perjury, that his complaint is Stated fully to the best of his ability and everything is true and 100% accurate to the best of his ability and States as follows:

1. If I were to call witnesses to testify I would call, Larry Reed, Officer Hamilton, Nurse Ballenger and Nurse Brown.

Further the Affiant Sayeth Not:

Respectfully Submitted

Eric Ware

8/6/2020